

## **REMARKS**

### **1. Summary of Office Action**

In the Final Office Action mailed January 16, 2009, the Examiner rejected claims 1-27 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Claims 2-9, 11-18 and 20-27 were rejected because they incorporate the deficiencies of claims 1, 10 and 19 respectively.

### **2. Status of Claims**

Currently pending are claims 1-27 of which claims 1, 10 and 19 are independent, and the remainder of the claims are dependent. No claims have been amended in this response.

### **3. Response to Rejections**

#### **A. Response to 35 U.S.C. § 112 Rejection**

The Examiner rejected claims 1, 10 and 19 under 35 U.S.C. § 112, first paragraph for containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or which it is most nearly connected, to make and/or use the invention. The Examiner's rejection is directed at Applicants' amendments made in the previous response for the purpose of clarifying the scope of the present application, noting that limitations amended to claims 1, 10 and 19 are not disclosed in the specification. Applicants submit that previous amendments to the claims 1, 10 and 19 are disclosed in and supported by the specification.

Claims 1 and 19 have similar claim elements. Regarding the claim element of power management logic having a full power state, a low power state, and a power down state, paragraph 32 describes the Full Power State, the Low Power State 112, and the Power Down State 106.

Regarding the claim element of power management logic causing the medium interface unit to renegotiate from the high speed protocol to the lower speed protocol in response to an event signaling entry of said lower power mode, paragraph 33 states that “[t]he Low Power State 112 is typically entered into from the Full Power State 102 via block 103 or block 105,” wherein block 103 in Fig. 2A and Fig. 2B is the sleep state. Paragraph 31 states “[i]f the adapter is placed into a sleep state by system software, it should be previously instructed by the host operating system or drivers under control of the operating system, to negotiate to a slower speed protocol.” As such, the amended claim element of causing the medium interface unit to renegotiate from the high speed protocol (Full Power State 102) to the lower speed protocol (Low Power State) in response to an event (sleep state 103) signaling entry of said lower power mode (Low Power State) is disclosed in and supported by paragraphs 31 and 33 of the specification.

Regarding the claim element of entering a power down state in the event that the lower speed protocol is not successfully negotiated, paragraph 35 states “the adapter will be allowed to enter the Low Power State 112 if it can successfully negotiate to a 10/100 speed. Otherwise, the adapter must go into a Power Down State 106....” Applicants submit that the “Otherwise” case is appropriately construed as the case when “the lower speed protocol is not successfully negotiated.” As such, the amended claim element of entering a power down state (Power Down State 106) in the event that the lower speed protocol (Low Power State 112) is not successfully negotiated is disclosed in and supported by paragraph 35.

Regarding claim 10, the Examiner’s rejection points to the claim element of “suppressing a link-change signal at a wake-up detector; and entering a sleep state at the state machine where the network interface operates in a low power mode.” Paragraph 31 discusses the case of a wake on link change, and states that “[t]his situation has been avoided in embodiments of the present

invention by automatically blocking the link change information to the wake-up logic in the chip during the renegotiation process. Once the PHY is running at a 10/100 speed the state machine can enter the Low Power State 112.” As such, Applicants submit that the amended claim element of suppressing a link-change signal at a wake-up detector (“automatically block the link change information to the wake-up logic”) and entering a sleep state at the state machine where the network interface operates in a lower power mode (Low Power State 112) is disclosed in and supported by paragraph 31.

In light of the above, Applicants submit that previous amendments to the claims 1, 10 and 19 are disclosed in and supported by the specification.

#### **4. Conclusion**

The Applicants submit that the application is in good and proper form for allowance and therefore respectfully request favorable reconsideration. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney, at 312-913-2134.

Respectfully submitted,

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